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12 Attorneys for Defendant and Counterclaimant  
13 PHILIPS LUMILEDS LIGHTING  
COMPANY, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

18 EPISTAR CORPORATION,  
19 Plaintiff,  
20 vs.  
21 PHILIPS LUMILEDS LIGHTING  
22 COMPANY, LLC,  
Defendant.

24 || AND RELATED COUNTERCLAIMS

AKIN GUMP STRAUSS HAUER & FELD  
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Attorneys for Plaintiff and Counterdefendant  
**PISTAR CORPORATION**

Case No. C 07-5194 CW

## **STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS**

1 Pursuant to Civil Local Rule 16-8 and ADR Local Rule 3-5, counsel in the above entitled  
 2 action report that they have met and conferred regarding ADR and have agreed that the parties  
 3 will participate in private mediation with a mediator to be determined by the parties after further  
 4 consultation.

5 Dated: January 28, 2008

MORGAN, LEWIS & BOCKIUS LLP

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By: /s/ Michael J. Lyons

Michael J. Lyons

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Attorneys for Defendant and  
 Counterclaimant  
 PHILIPS LUMILEDS LIGHTING  
 COMPANY, LLC

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Dated: January 28, 2008

AKIN GUMP STRAUSS HAUER & FELD  
 LLP

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By: /s/ Yitai Hu

Yitai Hu

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Attorneys for Plaintiff and  
 Counterdefendant  
 EPISTAR CORPORATION

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### **[PROPOSED] ORDER**

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Pursuant to the Stipulation above, the captioned matter is hereby referred to private  
 mediation by a provider/mediator to be determined by the parties.

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**IT IS SO ORDERED.**

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Dated:

CLAUDIA WILKEN  
 UNITED STATES DISTRICT JUDGE

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**ATTESTATION PURSUANT TO GENERAL ORDER 45**

I, Amy M. Spicer, am the ECF user whose ID and password are being used to file this Joint Supplemental Case Management Conference Statement and [Proposed] Order. In compliance with General Order 45.X.B., I declare under the penalty of perjury under the laws of the United States of America that Michael J. Lyons and Yitai Hu have concurred in this filing.

Executed this 28th day of January 2008, at San Francisco, California.

/s/ Amy M. Spicer  
Amy M. Spicer